

Amendment
Application No. 10/695,643
Attorney Docket No. 032057

REMARKS

Claims 1-5, 7-10 and 12-33 are pending. Claim 6 is canceled, its subject matter being incorporated into claim 1. New claim 33 is added.

Claims 1-8 were rejected under 35 USC §103(a) as being unpatentable over Suenaga et al. in view of Vente et al., and claim 7 was rejected under 35 USC §103(a) as being unpatentable over these references further in view of Nam et al. Favorable reconsideration of these rejections is earnestly solicited.

Claim 1 has been amended to incorporate the features of claim 6, namely that the roughness of an upper surface of the adhesive layer is 0.79 nm or less. The Office Action applies Figs. 7A and 7B of Suenaga et al. as allegedly teaching these features. However, the surface roughness of Suenaga et al. is that of the ferroelectric film not of the adhesive layer as required by claim 1. Suenaga et al. discloses a method of measuring surface roughness of the ferroelectric thin film 12, as explained in Fig. 6 and at column 6, lines 47-67. A detailed estimation for the surface roughness of the ferroelectric film is discussed at column 7, lines 1-44 by referring to Figs. 7A and 7B of Suenaga et al. Suenaga et al. fails to teach or suggest anything concerning the surface roughness of the adhesive layer.

Furthermore, applicants note the Examiner's discussion regarding allowable subject matter. The Examiner comments that the prior art fails to establish a perovskite structure as required with the surface roughness of the adhesive layer of 0.79 nm or less.

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Accordingly, favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in better condition for allowance, the Examiner is encouraged to telephone applicants' undersigned attorney.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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